

Remarks

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Entry of this response is requested, as the response places the application in clear condition for allowance or alternatively places the claims in better form for appeal. Specifically, withdrawn claims as well as previously elected claims are canceled, and rejected claims are amended to place the claims in condition for allowance.

Claims 1, 3-5, and 12-20 are pending in the application. Claims 2 and 6-11 are canceled without prejudice or disclaimer, and Claims 1, 4, 12, 16, and 19 are amended.

In the Office Action Claims 1, 2, 4, 12-15, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Publication No. 11-62549 to Umemura et al. (Umemura) in view of U.S. Patent No. 4,411,616 to Neumann; and Claims 1, 2, 4, 12, 13, 15, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,199,936 to Cowan et al. (Cowan) in view of Neumann.

Initially, Applicants express thanks for the Examiner's allowance of Claims 3 and 5.

Applicants further express thanks for the Examiner's indication of allowable subject matter in Claims 16, 17, 19, and 20, such that the objected to claims would be allowable if rewritten in independent form. In response, Claims 16 and 19 are so-rewritten. Claims 17 and 20 depend from Claims 16 and 19. Therefore, in accordance with the Examiner's indication of allowable subject matter, the allowance of Claims 16, 17, 19, and 20 is requested.

As stated above Claims 1, 2, 4, 12-15, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Umemura in view of Neumann. Claims 1, 2, 4, 12, 13, 15, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cowan in view of Neumann.

With respect to the rejections of independent Claims 1 and 12, it is asserted that none of Umemura, Neumann, and Cowan discloses or renders obvious the claimed features of a damper including a plurality of steps, as recited in the independent claims. It is asserted that the claimed features can provide numerous advantages. By way of specific non-limiting examples, it is asserted that the claimed damper including a plurality of steps can attenuate and absorb various frequencies. Further, because a plurality of thin flat plates can be superimposed on one another to form a multi-layered plate assembly, friction can occur between the various plates, which increases the attenuation effect.¹

It is therefore requested that the rejections of independent Claims 1 and 12 under 35 U.S.C. § 103(a) be withdrawn, and the allowance of independent Claims 1 and 12 is requested.

Claims 4, 13-15, and 18 are allowable for the same reasons as independent Claims 1 and 12 from which they depend, as well as for their own features. Thus, it is requested that the rejections of dependent Claims 4, 13-15 and 18 be withdrawn, and the allowance of dependent Claims 4, 13-15, and 18 is requested.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1, 3-5, and 12-20 is earnestly solicited.

¹ From page 6, line 22 to page 7, line 2, of Applicants' originally filed specification.

Application No. 10/023,702
Reply to Office Action of February 16, 2005

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Customer Number

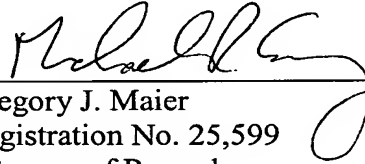
22850

Tel: (703) 413-3000

Fax: (703) 413 -2220
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Attorney of Record

GJM/me
I:\ATTY\PH\21S\217720\AM 04.28.05.DOC

Michael R. Casey, Ph.D.
Registration No. 40,294